

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

**SANDRA K. WEBB and
TABITHA N. WEBB,**

Plaintiff,

vs.

STATE OF TENNESSEE,

Defendant.

No. 05-1188 T/An

FILED BY *[Signature]* D.C.
05 AUG -8 PM 4:10
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, JACKSON

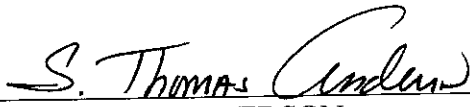
ORDER DENYING MOTION TO RECUSE

Before the Court is Plaintiffs' Motion for Change of Venue filed on July 5, 2005. Within the Motion to Change Venue is a Motion for the Undersigned to recuse himself from this matter. The Court held a hearing on this matter on August 2, 2005. At the hearing, Plaintiffs announced that they were withdrawing their request that the Undersigned recuse himself; therefore, the Motion to Recuse is **DENIED** as moot.

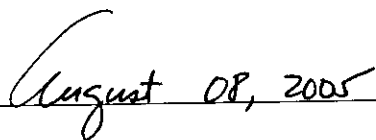
Prior to the announcement that they were withdrawing the motion, the Court examined Plaintiffs. Plaintiff Sandra Webb ("Ms. Webb") stated that she contacted an attorney by telephone who was briefly associated with the law firm formerly owned by the Undersigned ("Anderson Law Firm, PLLC"), and Ms. Webb requested information and advice concerning a lawsuit that was pending in late 1999 or early 2000 in which she was a defendant. However, Ms. Webb did not employ the attorney and subsequently retained an attorney not associated with Anderson Law Firm, PLLC to represent her in the matter. In that the Undersigned has no

recollection of the attorney ever discussing Plaintiffs' matter with him and has no independent knowledge or information about the matter, there is no basis from which an objectively reasonable person would conclude that the Undersigned could not discharge his duties in this matter in a fair and impartial manner. Therefore, recusal is not appropriate in this situation.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date:  _____



Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 1:05-CV-01188 was distributed by fax, mail, or direct printing on August 9, 2005 to the parties listed.

Tabitha N. Webb
PO Box 1451
Jackson, TN 38302

Sandra K. Webb
PO Box 1451
Jackson, TN 38302

Honorable James Todd
US DISTRICT COURT